

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated November 18, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-11, 13-18 and 20-22 are pending in the Application. Claims 12 and 19 are canceled herein, without prejudice. Claims 21 and 22 are added by this amendment. By means of the present amendment, claims 1-11, 13-18 and 20 are amended including for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Further amendments include changing correcting typographical errors, amending dependent claims to begin with "The" as opposed to "A" as correcting certain informalities noted upon review of the claims. By these amendments, claims 1-11, 13-18 and 20 are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, claims 17 and 19 have been rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The cancellation of claim 19 without prejudice renders this rejection with regard to claim 19 moot. Claim 17 is amended to comply with the statute. Accordingly, it is respectfully submitted that claim 17 is in proper form and it is respectfully requested that this rejection under 35 U.S.C. §101 be withdrawn.

Claims 1-20 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,012,600 to Zehner ("Zehner"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-11, 13-18 and 20-22 are allowable over Zehner for at least the following reasons.

Zehner shows an active matrix display architecture having a single common transparent electrode on one side of the electro-optic layer and a matrix of pixel electrodes arranged in rows and columns having intersections uniquely defining pixel electrodes on the opposed side. Zehner further states that "the electric field experienced by each pixel of the electro-optic layer is controlled by varying the voltage applied to the associated pixel electrode relative to the voltage (normally designated "Vcom") applied to the common front electrode." (See, Zehner, Col. 15, lines 24-40.)

Zehner also shows that a reset pulse may be applied to drive the pixels "alternately to their black and white states." (See, Zehner, FIG. 9 and Col. 26, lines 9-14.)

It is respectfully submitted that the display panel of claim 1 is not anticipated or made obvious by the teachings of Zehner. For example, Zehner does not disclose or suggest, a display panel that amongst other patentable elements, comprises (illustrative emphasis added) "drive means, the drive means being arranged for controlling the potential difference of each picture element, to be a grey scale potential difference for enabling the particles to be driven to a position corresponding to image information from a preceding optical state, wherein the drive means are further arranged for application of the grey scale potential difference for at least a subset of all drive waveforms for setting a picture element from a preceding optical state to a grey scale in two or more pulses which change the optical state of the system separated by a non-zero time interval and are arranged for prior to application of the grey scale potential difference, driving a reset potential difference of each picture element to drive the particles to occupy an extreme position which is determined based on which extreme position is closest to a position of the particles which corresponds to the

image information" as recited in claim 1, and as similarly recited in each of claims 11 and 20.

In fact, while Zehner does disclose reset pulses, it does not disclose or suggest driving a reset potential difference determined based on which extreme position is closest to a position of the particles which corresponds to the image information.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 11 and 20 are patentable over Zehner and notice to this effect is earnestly solicited. Claims 2-10, 13-18 and 21-22 respectively depend from one of claims 1 and 11 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position,

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should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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